

07 CV 3086

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKPEI LICENSING, INC., a Delaware
corporation,

Plaintiff,

v.

PERFUME NETWORK, a New York
corporation; MAJOR PERFUMES, INC.,
a New York corporation; TRADE PLUS,
INC., a New York corporation;
HARBANS LAL GERA, an individual;
and BHARAT GERA, an individual,

Defendants.

CIV. ACTION NO. 07 CV 3086

DECLARATION OF G. ROXANNE
ELINGS IN SUPPORT OF MOTION
FOR ORDER TO SHOW CAUSE
FOR PRELIMINARY INJUNCTION

I, G. Roxanne Elings, of full age and under penalty of perjury, declare and state as follows:

1. I am an attorney licensed to practice law in the State of New York and admitted in the Southern District of New York. I am a shareholder at the law firm Greenberg Traurig LLP ("GT"), counsel to Plaintiff PEI Licensing, Inc. ("PEI"). I make this declaration in support of PEI's Motion for Order to Show Cause for Preliminary Injunction against Defendants Perfume Network, Inc. ("Perfume Network"), Major Perfumes, Inc. ("Major Perfumes"), Trade Plus, Inc. ("Trade Plus"), Harbans Lal Gera ("Harbans Gera") and Bharat Gera (collectively "Defendants"). The information set forth herein is based upon my personal knowledge and/or review of documents and records, and I could competently testify thereto if called upon to do so.

2. Attached hereto as Exhibit A is a true and correct copy of a civil docket sheet in the action styled *Compagnie Francaise de Commerce International, S.A. et al. v. Bharat B. Gera et al.*, evidencing the lawsuit brought by Compagnie Francaise against Bharat Gera for trademark infringement in the Southern District of New York that resulted in entry of a permanent injunction against Bharat Gera.

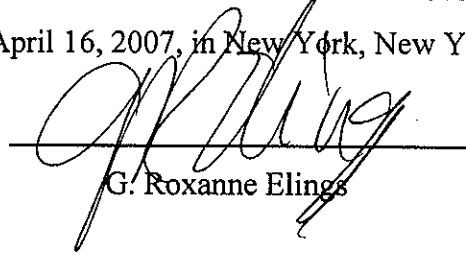
3. Attached hereto as Exhibit B is a true and correct copy of a civil docket sheet in the action styled *Paul Sebastian, Inc. et al. v. Cross Rubinstein, Inc. et al.*, evidencing the lawsuit brought Paul Sebastian against Harbans Gera and his former company Perfume USA f/k/a Perfumes R Us for trademark infringement in the Southern District of New York that resulted in entry of a permanent injunction against Harbans Gera and his company.

4. Attached hereto as Exhibit C is a true and correct copy of a civil docket sheet in the action styled *Cathy Carden, Inc. et al. v. Paris Designs, Inc. et al.*, evidencing the lawsuit brought by Cathy Carden against Harbans Gera for trademark infringement in the Southern District of Florida that resulted in Gera's compliance with Cathy Carden's trademark rights.

5. Attached hereto as Exhibit D is (a) a true and correct copy of a civil docket sheet in the action styled *Jivago, Inc. et al. v. Perfume Network, Inc. et al.*, evidencing the lawsuit brought Jivago against Harbans Gera and Perfume Network for trademark infringement in the Southern District of New York, which action is ongoing and pending; and (b) a letter from Jivago to Harbans Gera discussing the seizure and impounding by U.S. Customs of 30,528 bottles of counterfeit perfume that were imported by Harbans Gera and Perfume Network.

6. Attached hereto as Exhibit E are true and correct copies of (a) the temporary restraining order granted in the action filed by Animale Group, Inc. for willful trademark counterfeiting and infringement against Harbans Gera and Perfume Network in the Southern District of New York (the "New York Animale Action") and (b) the temporary restraining order granted in the action filed by Animale Group, Inc. for willful trademark counterfeiting and infringement against, *inter alia*, Bharat Gera and Trade Plus in the Southern District of Texas (the "Laredo Animale Action"). Bharat Gera and Trade Plus have been dismissed from the Laredo Animale Action on personal jurisdiction grounds, which dismissal Animale is appealing. The Court in the Laredo Animale Action has not suggested that the preliminary restraints against Bharat Gera and Trade Plus were inappropriate for any reason other than procedural.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 16, 2007, in New York, New York.



G. Roxanne Elings